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NOTES/COMMENTS:

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In re Application of: Duane A. Burnett *et al.*  
 For Patent For: Substituted Azetidinone Compounds, Processes for Preparing  
 The Same, Formulations and Uses Thereof

Group Art Unit: 1614

Attorney Docket No.: CV06039US01/ Serial No.: 10/791,979

Filed: 03/03/2004

- Fax Cover Sheet – 1 Page
- Certificate of Transmission PTO/SB/97 – 1 Page
- Supplemental IDS – 2 Pages
- PTO-1449 form – 1 Page in duplicate
- 1 Reference – 5 Pages



Ann Marie Cannon  
 Registered Representative  
 Registration No. 35,972

Attorney Docket No.: CV06039US01

Application No.: 10/791,979

Filing Date: 03/03/2004

First Named Inventor: Duane A. Burnett

PTO/SB/97 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Duane A. Burnett et al.

Group Art Unit: 1614

Application No.: 10/791,979

Examiner: To Be Assigned

Filed: 03/03/2004

Case No.: CV06039US01

For: Substituted Azetidinone Compounds,  
Processes for Preparing the Same,  
Formulations and Uses Thereof

Date: September 30, 2004

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENTCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

(a) Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, it is requested that the documents listed on the accompanying Form PTO-1449 be considered and made of record in the above-identified patent application. Copy(ies) of these documents  are enclosed  were filed in related U.S. Application No(s) \_\_\_\_\_ filed \_\_\_\_\_, respectively.

(b) No fee is believed to be due because:

- This Information Disclosure Statement is being submitted concurrently with the filing of the above-identified application; or
- This Information Disclosure Statement is being submitted within three (3) months of the filing date of the above-identified application; or
- This Information Disclosure Statement is being submitted concurrently with a Request for Continued Examination (RCE); or
- This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits.

(c)  This Information Disclosure Statement is being submitted before the mailing date of any final action, notice of allowance, or an action that otherwise closes prosecution; and:

- Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in

Application No. 10/791,979  
September 30, 2004  
Page 2 of 2

§ 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; or

- The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

(d)  This Information Disclosure Statement is being submitted on or before the payment of the issue fee; and:

- Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; and

- The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

- The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-0365.

Respectfully submitted,



By:

Name: Ann Marie Cannon

Reg. No.: 35,972

Attorney of Record

Telephone No.: (908) 298-5024

Dated: September 30, 2004  
**Schering-Plough Corporation**  
Patent Department, K-6-1, 1990  
2000 Galloping Hill Road  
Kenilworth, NJ 07033-0530  
Facsimile No.: (908) 298-5388

Sheet 1 of 1

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO.: <b>CV0639US01</b>	APPLICATION NO.: <b>10/791,979</b>
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT: <b>Duane A. Burnett et al.</b>	
(Use several sheets if necessary)		FILING DATE: <b>03/03/2004</b>	GROUP: <b>1614</b>

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
AA						
AB						
AC						
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
						YES
AL						
AM						
AN						
AO						
AP						

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

AQ	Copy of International Search Report for International Application No. PCT/US2004/006555 (04/08/2004) – 5 Pages
AR	
AS	
AT	
AU	
AV	

EXAMINER	DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.